

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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ROBERT PATTI  
Junior Party  
(Patent No. 6,236,602),

v.

GLENN J. LEEDY  
Senior Party  
(Application No. 10,143,200).

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Patent Interference No. 105,859 (JL)  
(Technology Center 2800)

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**DECLARATION – Bd. R. 203(b)<sup>1</sup>**

**Part A. Declaration of Interference**

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties. Details of the application, patent, count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this DECLARATION.

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<sup>1</sup> “Bd. R. x” may be used as shorthand for “37 C.F.R. § 41.x”. 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1           **Part B. Judge managing the interference**

2           Administrative Patent Judge Jameson Lee has been designated to manage  
3 the interference. Bd. R. 104(a).

4           **Part C. Standing order**

5           A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this  
6 DECLARATION. The STANDING ORDER applies to this interference.

7           **Part D. Initial conference call**

8           A telephone conference call to discuss the interference is set for **2:00 p.m.**  
9 **on January 18, 2012** (the Board will initiate the call).

10          No later than **four business days** prior to the conference call, each party  
11 shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd.R. 120; Bd.R. 204;  
12 SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

13          A sample schedule for taking action during the motion phase appears as  
14 Form 2 in the STANDING ORDER. Counsel are encouraged to discuss the  
15 schedule prior to the conference call and to agree on dates for taking action. A  
16 typical motion period lasts approximately eight (8) months. Counsel should be  
17 prepared to justify any request for a shorter or longer period.

1       **Part E. Identification and order of the parties**

2                               Junior Party

3       Named Inventors:       Robert Patti, Warrenville, IL

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5       Involved Patent:       6,236,602, issued May 22, 2001, based on  
6                               Application 09/580,936, filed May 25, 2000

7       Title:                   Dynamic configuration of storage arrays

8       Assignee:               Orion Bridge Loan Lenders

9                               Senior Party

10      Named Inventors:       Glenn J. Leedy, Jackson, WY

11  
12      Involved Application:   10/143,200, filed May 13, 2002

13      Title:                   Reconfigurable integrated circuit memory

14      Assignee:               None

15      The senior party is assigned exhibit numbers 1001-1999. The junior party is  
16      assigned exhibit numbers 2001-2999. Bd.R. 154(c)(1); SO ¶ 154.2.1. The senior  
17      party is responsible for initiating settlement discussions. SO ¶ 126.1.

18      **Part F. Count and claims of the parties**

19                               Count 1

20                               Claim 1 of Patti's Patent

21                               or

22                               Claim 120 of Leedy's Application

23      The claims of the parties are:

24              Patti:            1-11

25              Leedy:           88-99, 101-104, 116, 117, 120, 123-128, 131-132

1 The claims of the parties which correspond to Count 1 are:

2 Patti: 1-11

3 Leedy: 88-99, 101-104, 116, 117, 120, 123-128, 131-132

4  
5 The claims of the parties which do not correspond to Count 1 are:

6 Patti: none

7 Leedy: none

8  
9 The parties are accorded the following benefit for Count 1:

10 Patti: none

11  
12 Leedy: Application 09/607,363, filed June 30, 2000, now Patent  
13 6,632,706, issued October 14, 2003;

14  
15 Application 08/971,565, filed November 17, 1997, now  
16 Patent 6,133,640, issued October 17, 2000; and

17  
18 Application 08/835,190, filed April 4, 1997, now Patent  
19 5,915,167, issued June 22, 1999  
20  
21

The following heading must be used on all papers filed in this interference,  
see SO ¶ 106.1.1:

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**V.**

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When requesting copies of files, use of SO Form 4 will greatly expedite processing of the request. Please attach a copy of Parts E and F of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.

/Jameson Lee/  
Administrative Patent Judge

1 Enc:

2 Copy of STANDING ORDER (March 2011)

3 Copy of claims of Application 10/143,200

4 Copy of Patent 6,236,602

5

6 cc (via overnight delivery):

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12

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